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SUBJECT: Prime Minister Meles set on new CSO/NGO law in autumn

REF: ADDIS 1593 (AND PREVIOUS); ADDIS 2103

SUMMARY

1. (SBU) Ethiopian Prime Minister Meles Zenawi told Ambassadors from the UK, France and US on July 30 during the third of a series of meetings that the proposed Charities and Societies Organizations Law (CSO) has become so politicized that it has exacerbated animosities within the Central Committee of the ruling EPRDF party towards the very CSOs and NGOs (non-governmental organizations) which help Ethiopia. Further, the emotional debate raised unnecessary misunderstandings among the donor community. It is time to pass the law and work cooperatively together to implement the law, the Prime Minister stressed. He underscored that democratic institution building and the defense of basic human and civil rights must be the sole responsibility of the people of Ethiopia and not imposed from outside. Foreign money and outside assistance will not enhance, but could undermine, the development and sense of "ownership" of the democratic process in Ethiopia. The Prime Minister stressed that few NGOs/CSOs would be affected and urged continued cooperation on development issues. He said he would review the concerns and the reports prepared by the Ambassadors and donor group and that some revisions would be forthcoming but the general text of the law would be enacted in the autumn. There is an exception, the Prime Minister noted, in which foreign CSOs/NGOs -- like the National Democratic Institute or similar organizations -- may be invited by the government to help advise it on democratic issues. Post assesses that the Prime Minister's tough line was more intended to influence than inform the assembled ambassadors and there remains an opportunity for the U.S. and other donors to continue to engage the Ethiopian government to avoid passage of a damaging law, or at least moderate the excesses. End Summary.

DEPOLITICIZING AN EMOTIONAL ISSUE

2. (SBU) For over two and-a-half hours on July 30, Prime Minister Meles told French Ambassador Stephane Gompertz, UK Ambassador Norman Ling and the U.S. Ambassador that discussion over the CSO law has become so politicized that it has created unnecessary animosities between Ethiopia and the donor community and misunderstandings. To overcome the bitter and "poisonous" discussion, it would be best to pass the law quickly once the Parliament reconvenes in October. The Ethiopian Government can then work cooperatively with the CSO/NGO groups and donor community to make the new legislation work. Once time has passed the law can be viewed in a more pragmatic and professional manner with less emotion.

3. (SBU) The Prime Minister said the debate over the proposed law had embittered the Central Committee of the ruling EPRDF party whose members viewed the criticism and emotional statements from the CSO and NGO communities as having little to do with the proposed law and everything to do with attacks on the GOE. For this reason, the Prime Minister said he stopped seeing the CSO/NGO communities, but

continued seeing the three ambassadors because the discussion was a rational and calm debate over the law.

¶4. (SBU) The British Ambassador passed over an analysis of the law prepared by the donors group. The Prime Minister said he would review the text and make changes to the proposed law, if necessary. Concerning the letter handed to him by the three ambassadors (a copy of which was e-mailed to AF/E on July 29), the Prime Minister responded that he appreciated the analysis and issues raised by the Ambassadors. Concerning the distinction made between domestic and foreign CSOs/NGOs, the Prime Minister said the distinction would remain. The Ambassadors' concerns over restrictions in helping women, children and handicap, the Prime Minister said these are advocacy issues and it could not be accepted because these are distinctly Ethiopian issues for Ethiopians to address.

¶5. (SBU) The Prime Minister said he would review and consult his advisors on the Ambassadors' concerns over the proposed agency that would oversee CSOs/NGOs, as well as the criminalization of activities and administrative errors. He would also review again the lack of an appeal process for those CSOs/NGOs objecting to administrative decisions of the agency.

DEMOCRACY MUST BE HOME GROWN, NOT IMPOSED

¶6. (SBU) The Prime Minister articulated that democratic institution building, the advancement of democratic values and the protection and promotion of human rights and civil rights must be born and developed by Ethiopians themselves. It cannot, and must not, be imposed by outsiders or through money distributed to advance these

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issues because such measures are not sustainable. If Ethiopians must rely on foreign aid, on outside help, and on money from foreign groups to advocate for women's rights or the plight of children, then it may never become fully embraced or protected or advanced by the Ethiopians themselves. To have a vibrant democracy, to have true protection and advancement of rights, the Ethiopian people must want it, advocate for it and defend it. Without such "ownership" Ethiopia will not have a strong and sustainable democratic tradition. For this, the Prime Minister argued, you do not need money, you need political will. He emphasized that he is dedicated to democracy and that it must be a uniquely Ethiopian sponsored democracy.

¶7. (SBU) The French Ambassador argued that Ethiopia is on the democratic path so it is Ethiopian in nature. Providing assistance will help the process move faster, why deny groups assistance and retard such development? The Ambassador said Ethiopia opposes early marriage and protects the rights of the disabled. It is best to allow the CSOs/NGOs and donor community to help this process. The Prime Minister said this is logical, but the consequences could be very different than what the assistance intends to accomplish. Forcing people to oppose early marriage, or spending money in communities to observe it, may yield some positive results, Meles conceded, but will it be ingrained in the psyche and soul of the people, will it continue after the money runs out, will the people have truly embraced these values or just observe them so long as the money is coming in. To truly test the will of the people, the people themselves must want it, must advocate for it, must sustain it. In this context, the government and Ethiopian CSOs/NGOs will advocate for these issues and work with the communities to advance these values.

¶8. (SBU) The Prime Minister gave the example of Congressman Chris Smith of New Jersey, who adamantly opposes abortion. When Ethiopia's parliament passed a clause allowing abortion in instances when the mother's life was in danger, Congressman Smith severely criticized the Prime Minister and his government and is now a vocal critic of Ethiopia. If Ethiopia accepted funding from anti-abortion groups and overturned the Parliamentary law to be in compliance with Congressman Smith, it would not be a law truly embraced by the people of Ethiopia. The Prime Minister said he was sympathetic to both the abortion and anti-abortion arguments but in the final analysis this must be a debate by the people of Ethiopia, a

discussion with Ethiopia's religious leaders and community advocates. It must be a uniquely and distinctly an Ethiopian decision.

EXCEPTION: NDI CAN WORK ON DEMOCRATIC ISSUES

¶9. (SBU) The Prime Minister conceded that the government will call on foreign CSOs/NGOs to help with democratic issues, but it will be at the request of the government not imposed from the outside. NDI, for instance, offers sound advice and unique qualities in helping the government on democratic issues. Working with government entities, NDI can advise the government on how best to promote a transparent electoral process.

¶10. (SBU) Democracy can be illusory in Africa, Meles argued. CSOs/NGOs and donors can pour money into election processes and perhaps there may be good elections according to Western standards, but would they be truly democratic elections. The Prime Minister said that donors give money to good local groups to advance worthy causes. But the plague of money also allows many groups to focus their work on definitions established by the donors in order to secure funding. In the end, when money is no longer available, he argued, these local groups would go to another area to attract outside funding. It is a business, when it should be a national priority, an innate desire and will to advance democracy and human rights.

¶11. (SBU) The Prime Minister praised Japan in its modernization efforts as an example of a country which itself sought out new ideas and practices, made mistakes, learned from them and established uniquely Japanese institutions which supported democratic and human rights issues. This is what Ethiopia strives to achieve.

¶12. (SBU) Finally, the Prime Minister gave the example of Germany prior to World War II. Communists and Nazis fought over control and using elections to resolve differences was not practical because neither group believed in democracy or democratic practices but used democratic practices to subvert those values and ideals. Thus, democracy must be advocated by the Ethiopians themselves in the context of protecting and defending democratic values by the Ethiopians themselves.

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COMMENT

¶13. (SBU) Despite Meles's strong argument that the CSO law will become law in October, Embassy Addis Ababa assesses that the Prime Minister's tough stance was more intended to influence the assembled ambassadors than to inform us of pending GoE action. Clearly the heavy international criticism of the proposed law has led to delays in its submission to the Parliament and revisions to parts of the drafts. As parliament does not reconvene until October 10, there remains time for the international community to continue to engage GoE interlocutors about the damaging effects of the law on Ethiopia's development, and economy. Post will continue to engage the GoE, in concert with international partners, to prevent the passage of the law or continued revisions of the draft proposal. Prime Minister will travel to UNGA in New York in September and we plan to arrange a trade and investment program for him afterwards. We can raise with him again at that time the need to rethink the effects of the proposed law. A majority of the Central Committee of the ruling party, support passage of the law and should it pass we will need to work carefully with our CSO/NGO community to determine what effect the law will have on our operations. Currently over 80 percent of our over US\$ 700 million assistance is implemented by NGOs. End Comment.

YAMAMOTO